

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAUL SABINO,

Plaintiff,

-against-

PORT AUTHORITY POLICE DEPARTMENT
and JOHN DOES of the PORT
AUTHORITY POLICE DEPARTMENT,

Defendants.

21-cv-5731 (JGK)

ORDER

JOHN G. KOELTL, United States District Judge:

The pro se plaintiff, Saul Sabino, filed the original complaint in this action on December 10, 2020. The Court's September 1, 2021 Memorandum Opinion and Order dismissed the original complaint in part, instructed the United States Marshals Service to serve the Port Authority Police Department, and directed the Clerk to add John Doe defendants to the docket.

The Port Authority Police Department was served and filed an answer to the original complaint on October 14, 2021. On October 15, 2021, the Court received the pro se plaintiff's amended complaint dated September 13, 2021 in the mail. See ECF No. 16. The pro se plaintiff does not appear to have named the Port Authority Police Department as a defendant in the amended complaint.

Under Rule 21 of the Federal Rules of Civil Procedure, the Court, on its own motion, "may at any time, on just terms, add

or drop a party.” Fed. R. Civ. P. 21. In light of the plaintiff’s pro se status and his clear intention to assert claims against the Port Authority Police Department, the Court construes the amended complaint as asserting claims against the Port Authority Police Department.

Accordingly, the Court directs the Clerk to amend the caption of this action to add the Port Authority Police Department as a defendant. See Fed. R. Civ. P. 21. This amendment is without prejudice to any defenses the Port Authority Police Department may wish to assert. The Port Authority Police Department must move or answer with respect to the amended complaint by November 9, 2021.

The Port Authority of New York & New Jersey is reminded of its obligation to provide the pro se plaintiff with the identity and badge number of each John Doe defendant and the address where each John Doe defendant may be served by November 1, 2021. See ECF No. 11 at 14.


The Clerk is directed to mail a copy of this Order to the pro se plaintiff and to note service on the docket.

The Clerk is further directed to mail a copy of this Order to the Port Authority of New York & New Jersey at: 4 World Trade Center, 150 Greenwich Street, 23rd Floor, New York, New York 10007.

SO ORDERED.

Dated: New York, New York
October 19, 2021

20



John G. Koeltl
United States District Judge